

Interview Summary	Application No.	Applicant(s)	
	10/748,977	STOYANOV ET AL.	
	Examiner	Art Unit	
	Everett White	1623	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Everett White. (3) ____.
- (2) David Unrau. (4) ____.

Date of Interview: 15 November 2006.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: ____.

Claim(s) discussed: 1-17.

Identification of prior art discussed: Hansen et al '256 and Hansen et al '326.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant representative argued against the 112 rejection of Claims 1-17 in the Office Action mailed Nov. 1, 2006 and pointed to MPEP 2163.05 under subheading "III. Range Limitations" to support his position. However, this argument is not persuasive since, unlike the example pointed out in the MPEP, the 160 degree temperature rejected in the claims is not specifically recited in the instant specification or is not closed to a temperature disclosed in the examples of the instant specification. In the MPEP example, the 35% recited in the limitation "between 35% and 60%%" was acceptable because it is close to the specific example of 36%. Applicant also argue against the art rejection of the claims indicating that the Hansen et al patents do not support the use of a hydroxy polycarboxylic acid such as citric acid in the present of a polyol such as sorbitol having covalent crosslinking properties. This argument was not persuasive since Hansen et al '256 discloses in column 19, line 61, binders that may be a combination of a "polycarboxylic acid and a polyol" and discloses in column 23, lines 7-9, "specific binders that can also crosslink include polyols and polycarboxylic acids". Applicants are reminded that products of identical chemical composition cannot have mutually exclusive properties. A chemical composition and its properties are inseparable. Therefore, if the prior art teaches the identical chemical structure, the properties applicant discloses and/or claims are necessarily present. In re Spada 15 USPQ 2d 1655, 1658 (Fed. Cir. 1990). See MPEP 2112.01 .